



Reprinted  
February 17, 1999

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## HOUSE BILL No. 1165

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DIGEST OF HB 1165 (Updated February 16, 1999 3:27 pm - DI 97)

**Citations Affected:** IC 27-8; IC 27-13; noncode.

**Synopsis:** Insurance coverage for autism. Defines autism as a neurological condition for purposes of coverage under group health insurance and group health maintenance organization contracts. Requires group health insurers and group health maintenance organization contracts that provide basic health care services to offer to provide coverage for treatment, including therapeutic respite and rehabilitative care, of autism of a child covered under the plan. Limits the required offer of coverage to a maximum of ten thousand dollars (\$10,000) per year, not to include coverage for treatment of unrelated medical conditions. (The introduced version of this bill was prepared by the commission on autism.)

**Effective:** July 1, 1999.

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**Summers, Mahern, Duncan,  
Alderman**

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January 6, 1999, read first time and referred to Committee on Insurance, Corporations, and Small Business.  
February 8, 1999, amended, reported — Do Pass.  
February 16, 1999, read second time, amended, ordered engrossed.

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HB 1165—LS 6113/DI 97+



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February 17, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1165

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 27-8-14.1 IS ADDED TO THE INDIANA CODE  
2       AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 1999]:

4       **Chapter 14.1. Insurance Coverage for Autism**

5       **Sec. 1. (a) As used in this chapter, "accident and sickness**  
6       **insurance policy" means an insurance policy that:**

- 7               (1) provides one (1) or more of the types of insurance  
8               described in IC 27-1-5-1, classes 1(b) and 2(a); and  
9               (2) is issued on a group basis.

10       **(b) The term does not include the following:**

- 11               (1) Accident only, credit, dental, vision, Medicare supplement,  
12               long term care, or disability income insurance.  
13               (2) Coverage issued as a supplement to liability insurance.  
14               (3) Automobile medical payment insurance.  
15               (4) A specified disease policy.  
16               (5) A limited benefit health insurance policy.  
17               (6) A short term insurance plan that:

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(A) may not be renewed; and

(B) has a duration of not more than six (6) months.

(7) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement without regard to the actual expense of the confinement.

(8) Worker's compensation or similar insurance.

(9) A student health insurance policy.

Sec. 2. As used in this chapter, "child" means an individual not less than one (1) year of age and not more than twenty-one (21) years of age.

Sec. 3. As used in this chapter, "insured" means a child who is entitled to coverage under a policy of accident and sickness insurance.

Sec. 4. As used in this chapter, "insurer" means a person that issues an accident and sickness insurance policy.

Sec. 5. As used in this chapter, "autism" means a neurological condition as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

Sec. 6. (a) An insurer that issues an accident and sickness insurance policy shall offer to provide coverage, including therapeutic respite and rehabilitative care, for the treatment of autism of an insured.

(b) The maximum coverage that must be offered under this section is ten thousand dollars (\$10,000) per year for each insured for treatment related to autism.

(c) The maximum coverage limit under subsection (b) does not apply to treatment of other health conditions of the insured that are not related to treatment of autism.

Sec. 7. Except as provided in section 6(b) of this chapter, the coverage that must be offered under this chapter may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions applying to physical illness generally under the accident and sickness insurance policy.

SECTION 2. IC 27-13-7-14.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 14.7. (a) As used in this section, "child" means an enrollee not less than one (1) year of age and not more than twenty-one (21) years of age.

(b) As used in this chapter, "autism" means a neurological condition as defined in the most recent edition of the Diagnostic

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1 and Statistical Manual of Mental Disorders of the American  
2 Psychiatric Association.

3 (c) A health maintenance organization that enters into a group  
4 contract under this chapter that provides basic health care services  
5 must offer to provide services, including therapeutic respite and  
6 rehabilitative care, for the treatment of autism of a child.

7 (d) The services that must be offered under subsection (c) are  
8 limited to a maximum of ten thousand dollars (\$10,000) per year  
9 for each child. This maximum does not include coverage for other  
10 health conditions of the child that are not related to treatment of  
11 autism.

12 (e) Except as provided in subsection (d), the services that must  
13 be offered under this chapter may not be subject to dollar limits,  
14 deductibles, copayments, or coinsurance provisions that are less  
15 favorable to a child than the dollar limits, deductibles, copayments,  
16 or coinsurance provisions applying to physical illness generally  
17 under the contract with a health maintenance organization.

18 SECTION 3. [EFFECTIVE JULY 1, 1999] (a) IC 27-8-14.1, as  
19 added by this act, applies to all accident and sickness insurance  
20 policies issued, renewed, delivered, or entered into after June 30,  
21 1999.

22 (b) IC 27-13-7-14.7, as added by this act, applies to all group  
23 contracts with health maintenance organizations entered into,  
24 renewed, delivered, or issued after June 30, 1999.

25 (c) This SECTION expires June 30, 2004.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, Corporations and Small Business, to which was referred House Bill 1165, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 24.

Page 2, line 28, delete "Pervasive Developmental" and insert **"Autism"**.

Page 2, delete line 29.

Page 2, between lines 40 and 41, begin a new paragraph and insert:  
**"Sec. 4. As used in this chapter, "insurer" means a person that issues an accident and sickness insurance policy."**

Page 2, line 41, delete "4" and insert **"5"**.

Page 2, line 41, delete "'pervasive developmental" and insert **""autism""**.

Page 2, line 42, delete "disorder"".

Page 2, line 42, delete ", including Asperger's".

Page 3, line 1, delete "syndrome and autism,".

Page 3, line 4, delete "5" and insert **"6"**.

Page 3, line 4, after "An" insert **"insurer that issues an"**.

Page 3, line 4, after "shall" insert **"offer to"**.

Page 3, line 6, delete "a pervasive developmental disorder" and insert **"autism"**.

Page 3, line 8, delete "required" and insert **"that must be offered"**.

Page 3, line 10, delete "a pervasive developmental disorder." and insert **"autism."**.

Page 3, line 13, delete "the pervasive developmental" and insert **"autism."**.

Page 3, delete line 14.

Page 3, line 15, delete "6" and insert **"7"**.

Page 3, line 15, delete "5(b)" and insert **"6(b)"**.

Page 3, line 16, delete "required" and insert **"that must be offered"**.

Page 3, line 26, delete "'pervasive developmental disorder"" and insert **""autism""**.

Page 3, line 27, delete ", including Asperger's syndrome".

Page 3, line 28, delete "and autism,".

Page 3, line 31, after "A" insert **"health maintenance organization that enters into a"**.

Page 3, line 31, delete "with a health maintenance organization".

Page 3, line 32, after "must" insert **"offer to"**.

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Page 3, line 34, delete "a pervasive developmental disorder" and insert "**autism**".

Page 3, line 36, delete "required by" and insert "**that must be offered under**".

Page 3, line 39, delete "treatment of the" and insert "**treatment of autism.**".

Page 3, delete line 40.

Page 3, line 41, delete "required" and insert "**that must be offered**".

Page 4, line 5, delete "(a) IC 5-10-8-7.1, as".

Page 4, delete lines 6 through 8.

Page 4, line 9, delete "(b)" and insert "**(a)**".

Page 4, line 12, delete "(c)" and insert "**(b)**".

Page 4, line 15, delete "(d)" and insert "**(c)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1165 as introduced.)

FRY, Chair

Committee Vote: yeas 11, nays 1.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1165 be amended to read as follows:

Page 1, line 4, after "Autism" delete ".".

Page 1, line 5, after "1." insert "(a)".

Page 1, between lines 9 and 10, begin a new paragraph and insert:

**"(b) The term does not include the following:**

**(1) Accident only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.**

**(2) Coverage issued as a supplement to liability insurance.**

**(3) Automobile medical payment insurance.**

**(4) A specified disease policy.**

**(5) A limited benefit health insurance policy.**

**(6) A short term insurance plan that:**

**(A) may not be renewed; and**

**(B) has a duration of not more than six (6) months.**

**(7) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement without regard to the actual expense of the confinement.**

**(8) Worker's compensation or similar insurance.**

**(9) A student health insurance policy."**

(Reference is to HB 1165 as printed February 9, 1999.)

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